

**IMPAIRED PROFESSIONALS PROCEDURE (IPP) TASK FORCE COMMITTEE
MEETING MINUTES
FEBRUARY 13, 2009**

PRESENT: Burt Wagner; Sheryl Graeber; Edward Krall; Kevin Martin; Julia Nelson; Sandra Osborn; Jeanne Severson; Judy Warmuth; Ernest Witzke; Shawnee Daniels-Sykes, Barbara McKinney; Jeanette Lytle and Jack Zweig, Department of Regulation and Licensing Health Team Attorneys; Sharon Henes, DRL Division of Enforcement Monitor;

STAFF: Tom Ryan, Bureau Director; Amy Childers, Bureau Assistant; and other DRL Staff

CALL TO ORDER

Shawnee Daniels-Sykes, Facilitator, called the meeting to order at 12:13 p.m. A quorum of 14 members was present.

APPROVAL OF AGENDA

MOTION: Judy Warmuth moved, seconded by Julia Nelson, to approve the agenda as published. Motion carried unanimously.

Kevin Martin arrived at 12:15 p.m.

APPROVAL OF MINUTES OF JANUARY 23, 2009

MOTION: Sandra Osborn moved, seconded by Julia Nelson, to approve the minutes as written. Motion carried unanimously.

ROLE OF TASK FORCE

Review of Main Points: Intent of IPP, History, Statutes and Rules

Jack Zweig summarized the main points from the IPP program and the Monitoring program. A discussion then ensued regarding enrollment.

Jeannette Lytle reviewed some opportunities for improvement to the rules and statutes relating to the IPP program.

PRIORITIZATION OF TASKS

One of the main goals of the Task force will be to differentiate between monitoring and IPP.

The task force brainstorming session resulted in the following:

Goals to work towards:

- IPP and Monitoring (discipline) should be different
- IPP: voluntary or not?
- Levels of intervention
 - Immediate – employer – formal v. informal referrals
 - Public v. private
 - Denial reinforced
 - Discipline v. rehab
 - Consequences
- Partnership with DOE (employer)
- Increase priority of IPP in DOE
- IPP/DOE/EAP Partnerships

IPP

- Impaired while working v. diverters not impaired
- Importance of assessments:
 - What is needed for effective assessment? (Sheryl expertise)
- Education orders/including other impairments

Jeff Scanlan stepped in for Tom Ryan at 2:00 p.m.

Framework for the definition of Impaired Professional

- Difficulty in strictly defining “impaired”
- Under RL7.02
 - “Impaired Professional” means a licensee who:
 - A: Diverts
 - B: Subjectively reports or,
 - C: Objectively is reported
- Definition must make eligible for IPP
- A substance must “influence” or “modify” behavior
- An impairment could be more than a substance problem
- Definition:
 - (A) Licensed professionals who have practiced while impaired by alcohol or other drugs OR (B) who suffer from a condition which makes it likely they will practice under the influence of those substances.
- Intent:
 - To protect the Public from credential holders who are impaired professionals.
 - To protect the Public safety through a program that ensures rehabilitation through prevention and early intervention.
- Current IPP program states that the assessment shall include a prognosis of recovery. The assessment should have a diagnosis for treatment recommendations for recovery and not a prognosis.

Tom Ryan returned at 2:45 p.m.

- Impaired Professional:
 - For purposes of this chapter: A credential holder who has practiced or is likely to practice a profession under the influence of alcohol or other drugs.
- Eligibility:
 - Exclusion criteria
 - Any case with actual harm to patient(s)
 - Licensee poses substantial risk of harm to patient(s)
 - Any licensee who has been charged with a crime
 - Any one person who has previously participated
 - Discretion of Examining Board
 - Inclusion Criteria
 - Contingent upon a diagnosis
 - Restitution of any monetary cost

**TEXAS PEER ASSISTANCE PROGRAM FOR NURSES' (TPAPN) 2009 SPRING
WORKSHOP – COMMITTEE CONSIDERATION OF ATTENDANCE OF 1
COMMITTEE MEMBER AND 1 STAFF MEMBER**

Tom Ryan reported to the Board that the Texas Peer Assistance Program for Nurses' (TPAPN) is hosting its 2009 Spring workshop in April.

INFORMATIONAL ITEMS

None.

PUBLIC COMMENTS

None.

OTHER COMMITTEE BUSINESS

Where do we go from here?

- Expand on confidentiality
- What constitutes compliance?
- What constitutes completion?
- Funding Options
- Outsourcing? Advantages and disadvantages

ADJOURNMENT

MOTION: Sandra Osborn moved, seconded by Jack Zweig, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 4:16 p.m.

NEXT MEETING: MARCH 20, 2009 AT 12:00 P.M.